



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

KRISTIN GASPAR
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

DATE: October 13, 2020

04

TO: Board of Supervisors

SUBJECT: NOTICE OF PUBLIC HEARING: SELECTION OF THE FIRST EIGHT MEMBERS OF THE COUNTY OF SAN DIEGO INDEPENDENT REDISTRICTING COMMISSION BY RANDOM DRAWING AND ESTABLISH APPROPRIATIONS FOR SUPPORT OF THE INDEPENDENT REDISTRICTING COMMISSION (DISTRICTS: ALL)

OVERVIEW

Pursuant to California Elections Code Section 21550-21553 and the Charter of the County of San Diego, the responsibility to draw the new supervisorial district boundaries will be done by the County's Independent Redistricting Commission (IRC). From May 18, 2020 through July 31, 2020, the Clerk of the Board of Supervisors received applications from San Diego County residents to serve on the IRC. The Clerk of the Board of Supervisors verified the applicants' voter registration status with the Registrar of Voters, rated the applications in accordance with the requirements listed in the aforementioned Elections Code, and identified the 60 most qualified applicants.

The Clerk of the Board of Supervisors is required to select, by random drawing, eight applicants from the pool of qualified applicants to serve on the IRC. The random drawing will be conducted in two rounds. The first round will select one commissioner for each of the five supervisorial districts. The second round will select three commissioners from the pool of remaining applicants.

The eight randomly selected commissioners will meet to select six more commissioners from the pool of qualified applicants to form a commission with 14 citizens. The full commission must be created no later than December 31, 2020.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Observe a random drawing conducted by the Clerk of the Board of Supervisors to select one commissioner for the County's Independent Redistricting Commission from each of the five supervisorial district subpools established by the Clerk.
2. After completing the first random drawing, observe a second random drawing conducted by the Clerk of the Board of Supervisors from all the remaining applicants, without respect to subpools, to select three additional commissioners.

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3. Establish appropriations of \$750,000 in the Finance and General Government Group Executive Office, Services & Supplies as a preliminary budget for required support of the County's Independent Redistricting Commission in Fiscal Year 2020-21 based on available General Fund fund balance. **(4 VOTES)**

FISCAL IMPACT

There is no fiscal impact associated with the Board's observation of the random drawing to select eight commissioners for the County's Independent Redistricting Commission. There will be no change in net General Fund cost and no additional staff years.

Funds for support of the Commission's tasks are not included in the Fiscal Year 2020-21 Operational Plan in the Finance and General Government Group Executive Office. If approved, this request will result in costs of \$750,000 in Fiscal Year 2020-21 and will be funded by available General Fund fund balance. County staff may return to the Board to request additional appropriations at a later date, subject to the needs and direction of the full Commission once seated. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

Every ten years, after the federal census, district boundaries for federal, state, and local elected offices are redrawn to reflect new population data and shifting populations to ensure equal voter representation to the extent possible. This process is called redistricting.

California Elections Code Section 21550-21553 and the County Charter, Section 400.1 set forth the rules for drawing the supervisorial boundaries and provides that the responsibility to draw the new supervisorial district boundaries rests with the County's Independent Redistricting Commission (IRC).

Elections Code Section 21550 provides that the political party preferences of the IRC members, shall be as proportional as possible to the total number of voters who are registered with each political party in the County of San Diego or those who do not have a party preference, as determined by registration at the most recent statewide election. However, the political party preferences of the IRC members are not required to be exactly the same as the proportion of political party preferences among the registered voters of the County. At least one IRC member shall reside in each of the five existing supervisorial districts of the Board of Supervisors.

Additionally, Elections Code Section 21550 requires IRC members meet the following qualifications

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1. Be a resident of the County of San Diego.
2. Be a voter who has been continuously registered in the County of San Diego with the same political party preference or with no political party preference and who has not changed the voter's political party preference for five or more years immediately preceding the date of the voter's appointment to the IRC.
3. Have voted in at least one of the last three statewide elections immediately preceding the voter's application to be a member of the IRC.
4. Within the 10 years immediately preceding the date of application to the IRC, neither the applicant, nor an immediate family member of the applicant, has done any of the following:
 - a. Been appointed to, elected to, or run as a candidate for office at the local, county, state or federal level representing the County of San Diego.
 - b. Served as an employee of, or paid consultant for, an elected representative at the local, state or federal level representing the County of San Diego.
 - c. Served as an employee of, or paid consultant for, a candidate for office at the local, state or federal level representing the County of San Diego.
 - d. Served as an officer, employee, or paid consultant of a political party or as an appointed member of a political party central committee.
 - e. Been a registered federal, state or local lobbyist.
5. Must have experience that demonstrates analytical skills relevant to the redistricting process and voting rights. Must also possess an ability to comprehend and apply the applicable state and federal legal requirements.
6. Must have experience that demonstrates an ability to be impartial.
7. Must have experience that demonstrates an appreciation for the diverse demographics and geography of the County of San Diego.

The Clerk of the Board of Supervisors conducted an extensive outreach campaign to inform residents of the opportunity to apply for the IRC. The Clerk sent several mass e-mails announcing the opening of the application period to nearly 5,000 individuals. The e-mail included members of County boards, commissions, committees, school district officials, special districts, city clerks, elected officials in the County, voter advocacy groups, local community organizations participating in the CountMe 2020 Census outreach efforts, and anyone that has previously applied for the County's Community Enhancement Grant funding since they represent a wide variety of organizations. The Clerk also provided several virtual presentations on the redistricting application process to community organizations that were interested. Additionally, the California State Auditor sent a notification to all individuals in San Diego County that previously applied for the State's Citizens Redistricting Commission and the City of San Diego sent a notification to those who signed up for the City's redistricting interest list. Finally, the County's Communications Office conducted outreach through the County News Center and posted videos and messages on social media through Twitter, Facebook, NextDoor, and Instagram.

From May 18, 2020 through July 31, 2020, the Clerk of the Board of Supervisors received 291 applications to serve on the IRC. Of those, 231 applicants met the qualifications listed above. The Clerk of the Board of Supervisors verified the applicants' voter registration status with the

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Registrar of Voters, rated the eligible applications and, in accordance with the aforementioned Elections Code, identified the 60 most qualified applicants. The names of the 60 most qualified applicants were posted on the Clerk of the Board's webpage on August 26, 2020 and their corresponding applications were available to the public for the required 30-day period.

Today's action is to allow the Clerk of the Board of Supervisors to conduct a random drawing to select one IRC member from each of the five District subpools established by the Clerk. After completing the first random drawing, the Clerk of the Board will conduct a second random drawing from all the remaining applicants, without respect to subpools, to select three additional IRC members.

The eight randomly selected IRC members will meet in late October and early November to review the remaining applicants and will appoint six additional applicants to the IRC. The six appointees shall be chosen based on relevant experience, analytical skills, and ability to be impartial, and to ensure that the IRC reflects the County's diversity, including racial, ethnic, geographic, and gender diversity. However, formulas or specific ratios shall not be applied for this purpose. The eight IRC members shall also consider political party preference, selecting applicants so that the political party preference of the members of the IRC complies with California Elections Code Section 21550, subdivision (c).

The full IRC must be created no later than December 31, 2020.

Additionally, California Elections Code Section 21552(c)(8) requires the Board of Supervisors to provide for reasonable funding and staffing for the commission. If approved, today's actions would establish appropriations of \$750,000 in the Finance and General Government Group Executive Office, Services & Supplies as a preliminary budget for County staff support of the IRC in Fiscal Year 2020-21 as required under State law, including public hearings in each supervisorial district, mapping, public outreach, translation, contracted and other services. The funding source is available General Fund fund balance. These appropriations will support the initial activities of County staff to prepare for the onboarding and associated activities of the IRC until all members are appointed by December 31, 2020. County staff may return to the Board to request additional appropriations at a later date, subject to the needs and direction of the full IRC once seated.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action supports the Sustainable Environments/Thriving Strategic Initiative in the County of San Diego's 2020-25 Strategic Plan by creating and promoting diverse opportunities for residents to exercise the right to be civically engaged and find solutions to current and future challenges.

Respectfully submitted,



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HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

1. California Elections Code Section 21550-21553
2. List of 60 Most Qualified Applicants

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: ☒ Yes ☐ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:
N/A

BOARD POLICIES APPLICABLE:
N/A

BOARD POLICY STATEMENTS:
N/A

MANDATORY COMPLIANCE:
California Elections Code, Division 21, Chapter 6.5 (Sections 21550-21553)
Charter of the County of San Diego, Section 400.1

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):
N/A

ORIGINATING DEPARTMENT: Clerk of the Board of Supervisors

OTHER CONCURRENCE(S): Finance & General Government Group Executive Office

CONTACT PERSON(S):

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